REMARKS

In one aspect, recited in claim 1, Applicants' invention features a laminate having a hook-engageable surface, including (a) a substrate of paper having at least one broad surface, and (b) a layer of hook-engageable material having a basis weight of less than about 4 ounces per square yard and comprising a generally sheet-form web body. A first surface of the hook-engageable material is laminated to the broad surface of the paper substrate and hook-engageable fibers or yarns extend from a second surface.

Claims 1-7, 9, 10, 11, 13-21 and 39 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shepard et al. (WO 99/11452) in view of Franz (5,224,895) and Nemec et al (6,010,387). Claims 1-7, 9-11, 13-21 and 39 have also been rejected as being unpatentable over Lawless (5,891,547) in view of Franz and Nemec. Claims 1-2, 4-6, 9-11, 13-20 and 39 have been rejected as unpatentable over Nemec in view of Lawless and Franz. Claim 23 has been rejected as being unpatentable over the above combinations of references further in view of Powell (5,603,504) and Bricker (5,664,780). These rejections are respectfully traversed, for the reasons discussed below.

While it is not conceded that Shepard is properly citable as prior art against the present invention, the following remarks are submitted as applicable to both Shepard and Lawless as they are cited for similar teachings, i.e., teachings of lightweight nonwoven loop materials that may be mounted on a backing.

Shepard teaches flame laminating lightweight nonwoven loop materials to foam backings (Shepard, p. 27), while Lawless teaches that lightweight nonwovens loop materials may be adhered to a film, fabric, or knit scrim backing (Lawless, col. 5, lines 53-64.) As acknowledged by the Examiner, neither reference teaches or suggests applying the loop material to a paper substrate.

Applicants submit that it would not have been obvious to the artisan to modify the Shepard or Lawless references to utilize a paper substrate. Nor would it have been obvious to modify Nemec to use one of the lightweight nonwoven materials described by Shepard and Lawless. Applicants will consider these proposed modifications in turn.

Franz and Nemec, whether taken alone or in combination, do not supply a teaching or suggestion that would have led the artisan to apply the nonwovens of Shepard and/or Lawless to a paper substrate. Franz does not describe laminating a nonwoven material or sheet-form web of loop material to a substrate. Rather, Franz describes sewing discrete fastener portions to a substrate. In particular, Franz describes children's teaching devices that include interchangeable components that are attached to each other by discrete fasteners such as cooperating hook and loop fastener portions or other fasteners such as snaps or magnets. Franz stresses the importance of "firmly and permanently" attaching the fasteners to the components "in order to preclude their removal and possible ingestion by small children," and adds that in the case of hook and loop fastener portions these should be "securely sewn into place ... in order to prevent removal by small children." (Franz, col. 5, lines 43-64.) Thus, the artisan would not have looked to Franz for guidance in modifying Shepard or Lawless, which relate exclusively to nonwoven sheet-form web materials. Nemec does not provide any teaching or suggestion of a paper substrate. Instead, Nemec describes display panels that include a loop material laminated to a corrugated polymeric board. Thus, the teachings of Nemec and Franz, taken alone or together, would not have motivated the artisan to use a paper substrate as a backing with the nonwoven sheet-form materials described by Shepard and Lawless.

On the other hand, using Nemec as a starting point, the artisan would have had to (a) replace Nemec's nonwoven materials with the lightweight nonwoven materials described by Shepard or Lawless, and (b) replace Nemec's corrugated polymer substrate with a paper substrate. The art of record provides no motivation to make either modification, much less both.

Powell and Bricker, cited to providing a teaching of printing on the loop material, do not supply that which is lacking in the references discussed above.

The suggestion to combine the separate features described in the prior art can be found only in Applicants' own specification. It is axiomatic that Applicants' specification cannot be used as a blueprint to reconstruct the invention from the teachings of the prior art. See, e.g., *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132 (Fed. Cir. 1985).

In view of the above, Applicants respectfully request that the rejections under 35 U.S.C. §103(a) be withdrawn.

Enclosed is a $120.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 05918-133002.

Respectfully submitted,

Date: December 27, 2004

Celia H. Leber
Reg. No. 33,524

Reg No. 30,175

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

20978159.doc